

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	CRIMINAL NO. 04-10046-RGS
)	
v.	)	VIOLATIONS:
)	
1. ANGEL GONZALEZ,	)	21 U.S.C. § 846--
AKA "KING A-SHOT", AND	)	Conspiracy To Distribute
	)	Cocaine Base
2. JOSE GONZALEZ,)	
AKA "KING STRIKE", AKA	)	21 U.S.C. § 841(a)--
"TITO"	)	Distribution Of Cocaine
	)	Base
)	
	)	21 U.S.C. § 841(a)--
	)	Distribution Of Cocaine
)	
	)	18 U.S.C. § 2--
	)	Aiding and Abetting
)	
	)	21 U.S.C. § 853--
	)	Criminal Forfeiture
	)	Allegation

SUPERSEDING INDICTMENT

COUNT ONE: (21 U.S.C. § 846--Conspiracy to Distribute Cocaine Base)

The Grand Jury charges that:

From a time unknown to the Grand Jury, but at least by in or about September 2003, and continuing thereafter until at least November 2003, at Lawrence, Methuen, and elsewhere in the District of Massachusetts,

1. ANGEL GONZALEZ, AKA "KING A-SHOT", and
2. JOSE GONZALEZ, AKA "KING STRIKE", AKA "TITO",

the defendants herein, did knowingly and intentionally combine, confederate, conspire, and agree with each other and with other

persons unknown to the Grand Jury, to possess with intent to distribute, and to distribute, cocaine base, also known as "crack cocaine," in violation of Title 21, United States Code, Section 841(a)(1).

The Grand Jury further alleges that the conspiracy described herein involved at least 5 grams of a mixture or a substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO: (21 U.S.C. § 841(a)(1)--Distribution Of Cocaine;
18 U.S.C. §2--Aiding and Abetting))

The Grand Jury further charges that:

On or about September 12, 2003, at Lawrence and Methuen, in
the District of Massachusetts,

1. ANGEL GONZALEZ, AKA "KING A-SHOT",
the defendant herein, knowingly and intentionally possessed with
intent to distribute, and distributed, cocaine, a Schedule II
controlled substance.

All in violation of Title 21, United States Code, Section
841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1)--Distribution Of Cocaine Base; 18 U.S.C. §2--Aiding and Abetting))

The Grand Jury further charges that:

On or about September 16, 2003, at Lawrence and Methuen, in the District of Massachusetts,

- 1. ANGEL GONZALEZ, AKA "KING A-SHOT", and**
- 2. JOSE GONZALEZ, AKA "KING STRIKE", AKA "TITO",**

the defendants herein, knowingly and intentionally possessed with intent to distribute, and distributed, cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the transaction described herein involved at least 5 grams of a mixture or a substance containing a detectable amount of cocaine base, also known as "crack cocaine", a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FOUR: (21 U.S.C. § 841(a)(1)--Distribution Of Cocaine Base)

The Grand Jury further charges that:

On or about October 21, 2003, at Lawrence, in the District of Massachusetts,

2. JOSE GONZALEZ, AKA "KING STRIKE", AKA "TITO", the defendant herein, knowingly and intentionally possessed with intent to distribute, and distributed, cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the transaction described herein involved at least 5 grams of a mixture or a substance containing a detectable amount of cocaine base, also known as "crack cocaine", a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT FIVE: (21 U.S.C. § 841(a)(1)--Distribution Of Cocaine Base)

The Grand Jury further charges that:

On or about November 13, 2003, at Lawrence, in the District of Massachusetts,

2. JOSE GONZALEZ, AKA "KING STRIKE", AKA "TITO",
the defendant herein, knowingly and intentionally possessed with intent to distribute, and distributed, cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the transaction described herein involved at least 5 grams of a mixture or a substance containing a detectable amount of cocaine base, also known as "crack cocaine", a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841 (b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1).

NOTICE OF ADDITIONAL FACTORS

The Grand Jury further finds that:

1. The defendant ANGEL GONZALEZ is accountable for at least 20 grams, but less than 35 grams, of cocaine base, also known as "crack cocaine", a Schedule II controlled substance. Accordingly, USSG §2D1.1(c)(6) applies to this defendant.

2. The defendant JOSE GONZALEZ is accountable for at least 20 grams, but less than 35 grams, of cocaine base, also known as "crack cocaine", a Schedule II controlled substance. Accordingly, USSG §2D1.1(c)(6) applies to this defendant.

3. At the time he committed the offenses charged in this Superseding Indictment, the defendant, ANGEL GONZALEZ, was at least eighteen years old and had two or more prior felony convictions of either a crime of violence or a controlled substance offense. Accordingly, U.S.S.G. §§ 4B1.1 & 4B1.2 apply to this defendant.

4. At the time he committed the offenses charged in this Superseding Indictment, the defendant, JOSE GONZALEZ, was at least eighteen years old and had two or more prior felony convictions of either a crime of violence or a controlled substance offense. Accordingly, U.S.S.G. §§ 4B1.1 & 4B1.2 apply to the defendant.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts 1 through 5 of this Indictment,

1. **ANGEL GONZALEZ, AKA "KING A-SHOT", and**
2. **JOSE GONZALEZ, AKA "KING STRIKE", AKA "TITO",**

the defendants herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations.

2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendants --

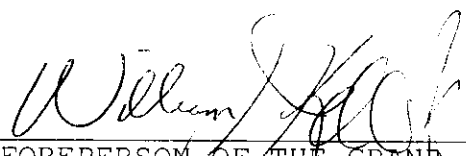
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

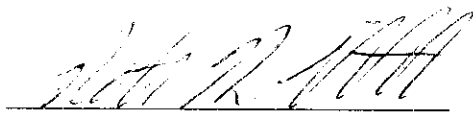
it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property

described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

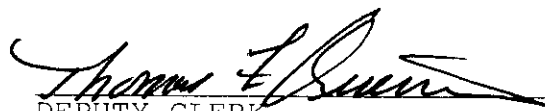
A TRUE BILL


FOREPERSON OF THE GRAND JURY


JOHN A. WORTMANN, JR.
PETER K. LEVITT
ASSISTANT U.S. ATTORNEYS

DISTRICT OF MASSACHUSETTS; September 23, 2004.

Returned into the District Court by the Grand Jurors and
filed.


DEPUTY CLERK

9/23/04 @ 12:03 pm

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Lawrence Category No. II Investigating Agency FBICity Lawrence Related Case Information:County Essex Superseding Ind./ Inf. X Case No. 04-10046-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name JOSE GONZALEZ Juvenile: ☐ Yes ☒ NoAlias Name KING STRIKE AKA TITOAddress 48 FARNHAM STREET, LAWRENCE, MABirthdate: 1975 SS # 000 00 7347 Sex: MALE Race: Hispanic Nationalit USDefense Counsel if known: Denorah Delvechio Address _____

Bar Number _____

U.S. Attorney Information:AUSA JOHN WORTMANN, JR.; PETER K. LEVITT Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: Yes ☒ NoWarrant Requested ☐ Regular Process ☒ In Custody**Location Status:**

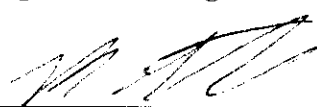
Arrest Date 2/19/04 _____

Already in Federal Custody as of 2/19/04 _____ in _____

☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 4

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 9/23/04 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____**Name of Defendant** JOSE GONZALEZ AKA KING STRIKE AKA TITO**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 USC 846</u>	<u>CONSPIRACY DISTRIBUTE COCAINE BASE</u>	<u>1</u>
Set 2	<u>21 USC 841</u>	<u>DISTRIBUTION OF COCAINE BASE</u>	<u>3, 4, 5</u>
Set 3	<u>18 USC 2</u>	<u>AIDING AND ABETTING</u>	<u>3, 4, 5</u>
Set 4	_____	_____	_____
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: Lawrence Category No. II Investigating Agency FBICity Lawrence Related Case Information:County Essex Superseding Ind./ Inf. X Case No. 04-10046-RGS
Same Defendant X New Defendant _____
Magistrate Judge Case Number _____
Search Warrant Case Number _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name ANGEL GONZALEZ Juvenile: ☐ Yes ☒ NoAlias Name KING A-SHOTAddress 78 INMAN ST., LAWRENCE, MABirthdate: 1978 SS # 000 00 2345 Sex: MALE Race: Hispanic Nationalit USDefense Counsel if known: Mike Bourbeau Address _____

Bar Number _____

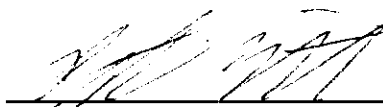
U.S. Attorney Information:AUSA JOHN WORTMANN, JR.; PETER K. LEVITT Bar Number if applicable _____Interpreter: ☐ Yes ☒ No List language and/or dialect: _____Matter to be SEALED: Yes ☒ NoWarrant Requested ☐ Regular Process ☒ In Custody**Location Status:**

Arrest Date 2/19/04 _____

Already in Federal Custody as of 2/19/04 _____ in _____

☐ Already in State Custody at _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Release: Ordered by: _____ on _____Charging Document: Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 3

Continue on Page 2 for Entry of U.S.C. Citations

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Set 3	<u>21 USC 841</u>	<u>DISTRIBUTION OF COCAINE BASE</u>	<u>3</u>
Set 4	<u>18 USC 2</u>	<u>AIDING AND ABETTING</u>	<u>2, 3</u>
Set 5	_____	_____	_____
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION: _____